

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re: DIAZ, CARMEN H.
JOSE MARCANO

§ Case No. 08-16751

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Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED
AND APPLICATION TO BE DISCHARGED (TDR)**

CHARLES J. MYLER, chapter 7 trustee, submits this Final Account,
Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: \$253,450.00
(without deducting any secured claims)

Assets Exempt: \$55,350.00

Total Distribution to Claimants: \$28,082.90

Claims Discharged

Without Payment: \$108,176.02

Total Expenses of Administration: \$39,917.89

3) Total gross receipts of \$ 83,000.79 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 15,000.00 (see **Exhibit 2**), yielded net receipts of \$68,000.79 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$204,078.41	\$2,526.06	\$0.00	\$0.00
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	3,887.91	39,917.89	39,917.89	39,917.89
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	0.00	0.00	0.00	0.00
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	0.00	23,620.06	23,620.06	23,620.06
GENERAL UNSECURED CLAIMS (from Exhibit 7)	72,872.00	68,719.86	68,719.86	4,462.84
TOTAL DISBURSEMENTS	\$280,838.32	\$134,783.87	\$132,257.81	\$68,000.79

4) This case was originally filed under Chapter 7 on June 29, 2008.
The case was pending for 32 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 03/14/2011 By: /s/CHARLES J. MYLER
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 –GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
Personal injury claim Larry Crisanti Attorney at	1142-000	83,000.00
Interest Income	1270-000	0.79
TOTAL GROSS RECEIPTS		\$83,000.79

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 –FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
Carmen Diaz	Exemption	8100-002	15,000.00
TOTAL FUNDS PAID TO DEBTOR AND THIRD PARTIES			\$15,000.00

EXHIBIT 3 –SECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
1	Ford Motor Credit Company LLC	4110-000	3,714.00	2,526.06	0.00	0.00
NOTFILED	Washington Mutual Home	4110-000	85,564.41	N/A	N/A	0.00
NOTFILED	Washington Mutual Mortgage	4110-000	114,800.00	N/A	N/A	0.00
TOTAL SECURED CLAIMS			\$204,078.41	\$2,526.06	\$0.00	\$0.00

EXHIBIT 4 –CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
CHARLES J. MYLER	2100-000	N/A	6,650.04	6,650.04	6,650.04
Charles J. Myler	2200-000	N/A	47.91	47.91	47.91

Myler, Ruddy & McTavish	3110-000	N/A	3,840.00	3,840.00	3,840.00
Crisanti & Young	3210-600	N/A	27,666.67	27,666.67	27,666.67
Crisanti & Young	3420-590	N/A	1,713.27	1,713.27	1,713.27
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		N/A	39,917.89	39,917.89	39,917.89

EXHIBIT 5 –PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
None					
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		N/A	0.00	0.00	0.00

EXHIBIT 6 –PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
	Northwest Spine & Surgery	5910-000	N/A	22,543.59	22,543.59	22,543.59
	Ingenix	5910-000	N/A	1,076.47	1,076.47	1,076.47
TOTAL PRIORITY UNSECURED CLAIMS			0.00	23,620.06	23,620.06	23,620.06

EXHIBIT 7 –GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
2	Discover Bank/DFS Services LLC	7100-000	N/A	5,981.32	5,981.32	388.44
3	Discover Bank/DFS Services LLC	7100-000	11,907.00	6,924.39	6,924.39	449.69
4	Capital Recovery II	7100-000	N/A	7,235.49	7,235.49	469.89
5	-2 Chase Bank USA, NA	7100-000	6,183.00	6,537.27	6,537.27	424.55
6	-2 Chase Bank USA, NA	7100-000	4,930.00	6,972.30	6,972.30	452.80
7	Capital Recovery II	7100-000	N/A	15,401.08	15,401.08	1,000.18
8	Capital Recovery II	7100-000	N/A	1,937.56	1,937.56	125.83
9	FIA Card Services, N.A.	7100-000	N/A	3,479.90	3,479.90	225.99
10	Chase Bank USA, NA	7100-000	5,933.00	5,418.94	5,418.94	351.92
11	eCAST Settlement Corporation	7100-000	N/A	8,831.61	8,831.61	573.55

NOTFILED	Lowes / MBGA	7100-000	1,799.00	N/A	N/A	0.00
NOTFILED	HSBC / Best Buy	7100-000	2,427.00	N/A	N/A	0.00
NOTFILED	HSBC / Best Buy	7100-000	992.00	N/A	N/A	0.00
NOTFILED	Nicor Gas	7100-000	415.00	N/A	N/A	0.00
NOTFILED	Wfnnb/harlem Furniture	7100-000	3,873.00	N/A	N/A	0.00
NOTFILED	Gemb/ge Money Loc	7100-000	15,362.00	N/A	N/A	0.00
NOTFILED	Citifinancial Retail S	7100-000	210.00	N/A	N/A	0.00
NOTFILED	Gemb/care Credit	7100-000	7,294.00	N/A	N/A	0.00
NOTFILED	Beneficial / Household Finance	7100-000	8,171.00	N/A	N/A	0.00
NOTFILED	Bank of America	7100-000	3,376.00	N/A	N/A	0.00
TOTAL GENERAL UNSECURED CLAIMS			72,872.00	68,719.86	68,719.86	4,462.84

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 08-16751

Trustee: (330510) CHARLES J. MYLER

Case Name: DIAZ, CARMEN H.
JOSE MARCANO

Filed (f) or Converted (c): 06/29/08 (f)

§341(a) Meeting Date: 07/21/08

Period Ending: 03/14/11

Claims Bar Date: 10/22/08

1		2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)		Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=\$554(a) DA=\$554(c)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #						
1	Single family home 1036 Willow Bay, Elgin, IL 60	215,500.00	0.00	DA	0.00	FA
2	Checking account Washington Mutual Bank St. Char	50.00	0.00	DA	0.00	FA
3	Checking account Chase Bank Elgin, Illinois	200.00	0.00	DA	0.00	FA
4	Checking account Washington Mutual Elgin, Illino	100.00	0.00	DA	0.00	FA
5	Savings account Kane County Teachers Credit Unio	2,000.00	0.00	DA	0.00	FA
6	Miscellaneous household furnishings	500.00	0.00	DA	0.00	FA
7	Wearing apparel	400.00	0.00	DA	0.00	FA
8	Security Financial 401K Plan	1,500.00	0.00	DA	0.00	FA
9	School District U-46 403(b) Plan	5,000.00	0.00	DA	0.00	FA
10	IMRF Pension Funds	10,000.00	0.00	DA	0.00	FA
11	Personal injury claim Larry Crisanti Attorney at	Unknown	Unknown		83,000.00	FA
12	1997 Ford Winstar - 167,000 miles	1,200.00	0.00	DA	0.00	FA
13	2003 Lincoln LS - 63,000 miles	6,000.00	0.00	DA	0.00	FA
14	2004 BMW Series 325i Sedan - 74,000 miles	11,000.00	0.00	DA	0.00	FA
Int	INTEREST (u)	Unknown	N/A		0.79	FA
15	Assets Totals (Excluding unknown values)	\$253,450.00	\$0.00		\$83,000.79	\$0.00

Major Activities Affecting Case Closing:

Distribution made 12/27/10

Initial Projected Date Of Final Report (TFR): December 31, 2008

Current Projected Date Of Final Report (TFR): November 17, 2010 (Actual)

Form 2

Cash Receipts And Disbursements Record

Case Number: 08-16751

Case Name: DIAZ, CARMEN H.
JOSE MARCANO

Taxpayer ID #: **-***1426

Period Ending: 03/14/11

Trustee: CHARLES J. MYLER (330510)

Bank Name: The Bank of New York Mellon

Account: 9200-*****31-65 - Money Market Account

Blanket Bond: \$5,000,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
07/02/10	{11}	Allstate	Settlement proceeds less Allstate setoff	1142-000	83,666.67		83,666.67
07/02/10	{11}	Allstate	Reversed Deposit 100001 1 Settlement proceeds less Allstate setoff	1142-000	-83,666.67		0.00
07/20/10	{11}	Allstate	PI Case settlement proceeds	1142-000	83,000.00		83,000.00
07/26/10	Int	The Bank of New York Mellon	Current Interest Rate is 0.0700%	1270-000	0.79		83,000.79
07/26/10		To Account #9200*****3166	Transfer to checking to distribute special counsel fees and expenses	9999-000		83,000.79	0.00

ACCOUNT TOTALS	83,000.79	83,000.79	\$0.00
Less: Bank Transfers	0.00	83,000.79	
Subtotal	83,000.79	0.00	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$83,000.79	\$0.00	

Form 2

Cash Receipts And Disbursements Record

Case Number: 08-16751

Case Name: DIAZ, CARMEN H.
JOSE MARCANO

Taxpayer ID #: **-***1426

Period Ending: 03/14/11

Trustee: CHARLES J. MYLER (330510)

Bank Name: The Bank of New York Mellon

Account: 9200-*****31-66 - Checking Account

Blanket Bond: \$5,000,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
07/26/10		From Account #9200*****3165	Transfer to checking to distribute special counsel fees and expenses	9999-000	83,000.79		83,000.79
07/26/10	101	Crisanti & Young	Special counsel fees	3210-600		27,666.67	55,334.12
07/26/10	102	Crisanti & Young	Special counsel expenses	3420-590		1,713.27	53,620.85
07/26/10	103	Northwest Spine & Surgery	Medical lien	5910-000		22,543.59	31,077.26
07/26/10	104	Ingenix	Medical lien	5910-000		1,076.47	30,000.79
07/26/10	105	Carmen Diaz	Exemption	8100-002		15,000.00	15,000.79
12/27/10	106	CHARLES J. MYLER	Dividend paid 100.00% on \$6,650.04, Trustee Compensation; Reference:	2100-000		6,650.04	8,350.75
12/27/10	107	Charles J. Myler	Dividend paid 100.00% on \$47.91, Trustee Expenses; Reference:	2200-000		47.91	8,302.84
12/27/10	108	Myler, Ruddy & McTavish	Dividend paid 100.00% on \$3,840.00, Attorney for Trustee Fees (Trustee Firm); Reference:	3110-000		3,840.00	4,462.84
12/27/10	109	Discover Bank/DFS Services LLC	Dividend paid 6.49% on \$5,981.32; Claim# 2; Filed: \$5,981.32; Reference:	7100-000		388.44	4,074.40
12/27/10	110	Discover Bank/DFS Services LLC	Dividend paid 6.49% on \$6,924.39; Claim# 3; Filed: \$6,924.39; Reference: XXXXXXXX6935	7100-000		449.69	3,624.71
12/27/10	111	Capital Recovery II	Dividend paid 6.49% on \$7,235.49; Claim# 4; Filed: \$7,235.49; Reference:	7100-000		469.89	3,154.82
12/27/10	112	Chase Bank USA, NA	Dividend paid 6.49% on \$6,537.27; Claim# 5 -2; Filed: \$6,537.27; Reference: XXXXXXXX1785	7100-000		424.55	2,730.27
12/27/10	113	Chase Bank USA, NA	Dividend paid 6.49% on \$6,972.30; Claim# 6 -2; Filed: \$6,972.30; Reference: XXXXXXXX6117	7100-000		452.80	2,277.47
12/27/10	114	Capital Recovery II	Dividend paid 6.49% on \$15,401.08; Claim# 7; Filed: \$15,401.08; Reference:	7100-000		1,000.18	1,277.29
12/27/10	115	Capital Recovery II	Dividend paid 6.49% on \$1,937.56; Claim# 8; Filed: \$1,937.56; Reference:	7100-000		125.83	1,151.46
12/27/10	116	FIA Card Services, N.A.	Dividend paid 6.49% on \$3,479.90; Claim# 9; Filed: \$3,479.90; Reference:	7100-000		225.99	925.47
12/27/10	117	Chase Bank USA, NA	Dividend paid 6.49% on \$5,418.94; Claim# 10; Filed: \$5,418.94; Reference: XXXXXXXX0203	7100-000		351.92	573.55
12/27/10	118	eCAST Settlement Corporation	Dividend paid 6.49% on \$8,831.61; Claim# 11; Filed: \$8,831.61; Reference:	7100-000		573.55	0.00

Subtotals :

\$83,000.79

\$83,000.79

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Case Number: 08-16751

Case Name: DIAZ, CARMEN H.
JOSE MARCANO

Taxpayer ID #: **-***1426

Period Ending: 03/14/11

Trustee: CHARLES J. MYLER (330510)

Bank Name: The Bank of New York Mellon

Account: 9200-*****31-66 - Checking Account

Blanket Bond: \$5,000,000.00 (per case limit)

Separate Bond: N/A

1	2	3	4		5	6	7
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements \$	Checking Account Balance

ACCOUNT TOTALS	83,000.79	83,000.79	\$0.00
Less: Bank Transfers	83,000.79	0.00	
Subtotal	0.00	83,000.79	
Less: Payments to Debtors		15,000.00	
NET Receipts / Disbursements	\$0.00	\$68,000.79	

Net Receipts :	83,000.79
Less Payments to Debtor :	15,000.00
Net Estate :	\$68,000.79

	Net Receipts	Net Disbursements	Account Balances
TOTAL - ALL ACCOUNTS			
MMA # 9200-*****31-65	83,000.79	0.00	0.00
Checking # 9200-*****31-66	0.00	68,000.79	0.00
	\$83,000.79	\$68,000.79	\$0.00